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Response dated June 30, 2009

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Drawing Corrections

A replacement sheet of drawings is attached wherein Figures 1 and 10 are now labeled separately as Figures 1a and 1b, and 10a and 10b respectively. Upon approval of these drawing corrections, the specification will be amended to address this change. Also, formal quality drawings are in preparation and will be filed shortly. No new matter has been added to the replacement sheet of drawings.

Remarks/Arguments

This paper is submitted responsive to the office action mailed March 31, 2009. Reconsideration of the application in light of the accompanying remarks and amendments is respectfully requested.

In the aforesaid action, the Examiner rejected claims 1-12 under 35 USC 112, second paragraph, as indefinite. By the present response, the claims have been amended to address the issues raised by the Examiner, and it is believed that the claims as amended are in proper form under 35 USC 112.

Broad and preferred ranges have been separated in the claims, and other issues addressed to place the claims in better form for US practice.

The Examiner objected to the drawings because Figures 1 and 10 each show two views and because Figure 10 is very dark. Drawing corrections are enclosed which address these issues.

Claims 1-10 and 12 were rejected as anticipated by US 5,743,328 to Sasaki. By the present paper, claim 1 has been amended to recite that the at least one flow device has a long side with a length of 5 mm to 5.9 mm. It is noted that Sasaki discloses a device wherein the flow device has a minimum width of 6 mm, and explains that widths less than 6 mm are not desired. See Sasaki column 5, lines 25-27. Based upon the foregoing, it is submitted that claim 1 as amended is neither anticipated nor obviated by the art of record. Sasaki teaches the skilled artisan away from the claimed ranges, and no other prior art of record has been cited by the Examiner to counter this teaching.

Claim 12 has also been amended to recite the length of the long side of the flat tubular cross section, and this claim is believed to be allowable over the art of record for the same reasons set forth above supporting claim 1.

In addition, it is noted that claim 2 as amended now positively recites the length of the flow device, and this dimension is not found anywhere in the art of record. The specific other design characteristics of the flow device render this length desirable, and it is believed that this feature is separately patentable over the art of record.

Dependent claims 2-11 depend directly or indirectly from claim 1 and are believed to be allowable based upon this dependency and also in their own right.

New claims 13 and 14 also depend directly or indirectly back to claim 1, and are believed to be allowable for this reason. Claims 13 and 14 were added to separately claim the alternative subject matter originally claimed in claims 3 and 9. Specifically, claim 13 calls for the flow device to have a plurality of internal flow channels running essentially parallel with the longitudinal axis, and claim 14 calls for the collection and/or distribution device to contain fluid at a pressure of approximately 125 bar. This claim language was in the claims as filed, and therefore is not new matter.

The application as amended contains claims 1-14 and these claims are believed to be in condition for allowance. Early and favorable action is respectfully solicited.

An earnest and thorough effort has been made to address all issues raised in the office action, and to place the application in condition for allowance. If, upon considering this paper, the Examiner is of the opinion that issues remain that could be addressed by telephone, the Examiner is invited to telephone the undersigned and discuss same.

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It is believed that no fees are due in connection with this response. If any such fees are due, please charge same to Deposit Account No. 02-0184.

Respectfully submitted,
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Date: June 30, 2009